

## **REGULATIONS FOR FILING FOR A VARIANCE TO THE ZONING BOARD OF APPEALS**

The Zoning Board of Appeals regularly conducts public hearings on the first Thursday of each month.

The following items **must** be submitted to the Zoning Board Secretary *no later than* the third Wednesday preceding the hearing:

- ✦ Application or building permit must be completed.
- ✦ Application for a zoning variance must be completed.
- ✦ Application fee for ZBA application in the amount of \$250.
- ✦ Site plan or current survey, seven (7) copies, showing the following:
  - Building plans showing all dimensions and exterior elevations (rendering of structures)
  - Set-backs for zoning district – front, side, and rear.
  - All measurements, calculations, heights, and elevations needed for processing application.
  - All the above must be submitted no later than the third Wednesday preceding the meeting.
- ✦ Proof of publication for notice of public hearing in the *Journal News* at least ten (10) days prior to the date of said public hearing.
- ✦ Notice of public hearing will be prepared for the applicant by the Zoning Board secretary only upon submission of completed application form and all documents needed to complete application.
  - NOTE – Notice of public hearing must be received by the *Journal News, Westchester Gannett Newspaper* 1 Gannet Drive, White Plains, NY 10604 as per the ZBA schedule seventeen (17) days prior to the date of the applicant's public hearing as set by the ZBA secretary.
- ✦ Notification to Neighbors: A minimum of ten (10) days prior to the public hearing, copies of the notice of hearing shall be sent by certified mail, return receipt requested, to all property owners within a distance of two-hundred-fifty (250) feet of the property lines of the applicant. In addition, the Board shall give any other notice required by law.
  - A list of these property owners with the section, block, and lot numbers set opposite their respective names and the postal receipts and return receipts showing delivery of notice must be submitted to the ZBA secretary by 12:00 noon on the day of the

meeting. If this is not complied with, the public hearing will be adjourned until such time that all requirements are met. ***The accuracy of this list is the full responsibility of the applicant.***

- NOTE – “Notification to Neighbors” must be mailed at the same time as the Notice of Hearing is sent so that it will not cause any delay in the return receipts requested (green cards).
- ✦ Other notification: If the application involves curb cuts, changes or other alterations to Town roads, the notice of hearing and a copy of the application must be sent by certified mail, return receipt requested to the Senior Highway Foreman at least ten (10) days prior to the hearing.

Other notification: If the application involves problems of traffic in front of and/or adjacent to the premises in question, the notice of hearing and a copy of the application must be sent by certified mail, return receipt requested the Chief of Police at least ten (10) days prior to the hearing.

General Municipal Law: County Planning Board has jurisdiction over certain actions on properties within 500 feet of County and State Highway or Parks, County drainage, channel lines, State and County owned land on which public buildings or institutions are situated on Municipal Boundaries. The County Planning Board must be notified within 30 days prior to the meeting date in order that they may review and submit a report.

Property identification card must be placed on the mailbox or entrance of the property (in plain view) so as to identify the property locations requesting a variance.

**\*\*NOTE\*\***

1. The preparation and cost of publication and any mailing of any notice required for public hearings shall be at the cost and expense of the applicant. At the hearing, the applicant must appear in person or by duly authorized representative(s) to present his or her proofs, including proof of title.
  2. When applying for an area variance, the applicant should seek the least amount of relief possible from the requirements of zoning code.
  3. The applicant must make a good faith attempt to purchase adjoining property before seeking an area variance.
- ✦ If a meeting is cancelled due to circumstances beyond our control, the “public hearing and notification process must start anew.”